REMARKS

In accordance with the foregoing, FIGS. 1B and 2 and claims 1-3 and 6-8 have been amended. Claims 1-16 are pending, with claims 1, 4, 6, and 9 being independent. No new matter is presented in this Amendment.

Request for Consideration of Information Disclosure Statement

An Information Disclosure Statement was filed on August 4, 2009, and it is respectfully requested that the Information Disclosure Statement be considered.

Drawing Objections and Drawing Amendments

The drawings have been objected to under 37 CFR 1.83(a) for failing to show the "eccentrically rotating track of an optical disc" recited in independent claim 9. Accordingly, FIGS. 1A and 2 have been amended to show this feature, and it is respectfully requested that the objection to the drawings be withdrawn.

Claim Rejections Under 35 USC 112

Claims 7 and 8 have been rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention for the reasons set forth on pages 3 and 15-16 of the Office Action of June 4, 2009. Although the propriety of this rejection is not conceded, claims 6-8 have been amended to eliminate the alleged deficiencies identified by the Examiner, and it is respectfully requested that the rejection of claims 7 and 8 under 35 USC 112, second paragraph, be withdrawn.

Claim Rejections Under 35 USC 103

Rejection 1

Claims 1-8 (not claims 1-8, 13, and 15 as stated by the Examiner) have been rejected under 35 USC 103(a) as being unpatentable over Aoe et al. (Aoe) (U.S. Patent Application Publication No. 2004/0013057) in view of Nakatsu et al. (Nakatsu) (U.S. Patent No. 4,955,009) and Akiyama (U.S. Patent No. 5,712,835). This rejection is respectfully traversed.

Claim 1

It is submitted that Aoe, Nakatsu, and Akiyama do not disclose or suggest the following feature of independent claim 1:

> a servo to judge a current position of the pickup based on the error signal, generate a track jump start control signal based on the judged position of the pickup, and generate a track jump end control signal.

The Examiner considers the pickup servo 18 shown in FIG. 7 of Aoe and described in paragraph [0047] of Aoe to correspond to "a servo to judge a position of the pickup based on the error signal" as recited in claim 1. Paragraph [0047], lines 16-21, of Aoe described the pickup servo 18 as follows (emphasis added):

> The servo error signals output from RF amplifier 16 are sent to pickup servo 18. Pickup servo 18 performs tracking control for positioning or following beam spot SP of laser beam LB on the track (pit line), focusing control for good focusing of beam spot SP to the size of about a pit, and other controls.

However, although this portion of Aoe states that the pickup servo 18 performs tracking control for positioning or following beam spot SP of laser beam LB on the track (pit line), it is not seen where anything whatsoever in this portion of Aoe or any other portion of Aoe discloses or suggests that the pickup servo 18 judges a current position or any other position of the optical pickup 14 in FIG. 7 of Aoe as would be necessary for Aoe to arguably disclose or suggest "a servo to judge a position of the pickup based on the error signal" as previously recited in claim 1, or "a servo to judge a current position of the pickup based on the error signal" as now recited in claim 1. No word containing the word fragment "judg" appears in Aoe. Furthermore, the

Examiner did not explain why she considers Aoe's pickup servo 18 to judge a position of the optical pickup 14 based on the tracking error signal TE that is output from the RF amplifier 16 as described in paragraph [0047], lines 10-12, of Aoe, such that the Examiner has not established a prima facie case of obviousness under 35 USC 103(a) with respect to this feature of claim 1.

Furthermore, as recognized by the Examiner, Aoe does not disclose or suggest that the pickup servo 18 in FIG. 7 of Nakatsu generates "a track jump start control signal" and "a track jump end control signal" as recited in claim 1. However, the Examiner considers FIG. 2; column 1, lines 25-30, 40-42, 59-and 62; and column 2, lines 63-66, of Nakatsu to disclose a "servo" that generates "a track jump start control signal" and "a track jump end control signal" as recited in claim 1.

However, column 1, lines 25-30, 40-42, and 59-62, and column 2, lines 63-66, of Nakatsu relied on by the Examiner relate to prior-art FIG. 6 of Nakatsu, while the discussion of FIG. 2 of Nakatsu relied on by the Examiner begins in column 4, line 25, of Nakatsu. Accordingly, it is submitted that the rejection of claim 1 is based on an improper analysis of Nakatsu by the Examiner, such that the Examiner has not established a *prima facie* case of obviousness with respect to claim 1.

Furthermore, although the Examiner considers FIG. 2; column 1, lines 25-30, 40-42, and 59-62; and column 2, lines 63-66, of Nakatsu to disclose a "servo" as recited in claim 1, the Examiner has not identified which element or elements in FIG. 2 the Examiner considers to correspond to the "servo" recited in claim 1, such that the Examiner has not established a *prima facie* case of obviousness with respect to claim 1. According to column 3, lines 54-56, of Nakatsu, FIG. 2 shows a detailed block diagram of an optical disk drive control system. The word "servo" appears only in column 1, line 37; column 3, lines 9 and 12; column 6, line 46, of Nakatsu, and in the label "tracking servo circuit" in block 26 in FIGS. 2 and 6 of Nakatsu. It is submitted that the tracking servo circuit 26 does not generate "a track jump start control signal" and "a track jump end control signal" as recited in claim 1.

The Examiner considers the access start command S14 in FIG. 2 of Nakatsu to be "a track jump start control signal" as recited in claim 1. However, the access start command is generated by the command circuit 90 in FIG. 1 of Nakatsu, which is not part of the "servo" the Examiner considers to be shown in FIG. 2 of Nakatsu. Accordingly, it is submitted that Nakatsu

does not disclose or suggest a "servo" that generates "a track jump start control signal" as alleged by the Examiner.

As recognized by the Examiner, Aoe and Nakatsu do not disclose or suggest that the pickup servo 18 in FIG. 7 of Aoe and the "servo" shown in FIG. 2 of Nakatsu and described in column 1, lines 25-30, 40-42, and 59-62, and column 2, lines 63-66, of Nakatsu "generate a track jump start control signal based on the judged [ ] position of the pickup" as recited in claim 1. However, the Examiner considers this feature to be taught by column 4, lines 59-66; column 7, lines 14-25; column 8, lines 62-65; and column 9, lines 6-11 of Akiyama. The Examiner considers column 4, lines 59-66, of Akiyama to be particularly relevant to this feature of claim 1. This passage is part of the passage in column 4, lines 56-66, of Akiyama, that states as follows:

> With the above-mentioned arrangement, because the optical means is made to conduct a tracking operation after the light spot made the first track jump and arrived at a certain track, the position of the light spot is corrected to the appropriate position on the track. Then, the light spot reaches the target track when track jump control means controls the optical means so that the second track jump is conducted. In short, the second track jump is made from the corrected, appropriate position. Thus, the accuracy in positioning the light spot when it arrives at the target track is improved.

This passage is in the Summary of the Invention section of Akiyama, and does not describe the circuit in FIG. 2 of Akiyama that performs the second track jump referred to in this passage. FIG. 2 of Akiyama shows a tracking control unit 6 that controls the driving unit 7 and the optical pickup 4 in FIG. 2 to perform the tracking operation to correct the position of the light spot on the track after the first track jump referred to in this passage, and a track jump control unit 8 that controls the driving unit 7 and the optical pickup 4 to perform the first track jump and the second track jump referred to in this passage. FIG. 2 shows a switch 9 that connects the tracking control unit 6 to the driving unit 7 to perform the tracking operation, and connects the track jump control unit 8 to the driving unit 7 to perform the first track jump and the second track jump. Column 7, lines 21-26, of Akiyama states as follows:

> On the other hand, in response to the TES which is supplied by the differential amplifier 5 and to a command supplied by an external device (not shown), the track jump control unit 8 controls the switching operation conducted by the switch 9 and

> outputs a driving pulse which causes the objective lens 3 to carry out the track jump.

"TES" referred to in this passage is the tracking error signal shown in FIG. 3 of Akiyama that is output from the differential amplifier 5 in FIG. 2 of Akiyama and received by the tracking control unit 6 and the track jump control unit 8 in FIG. 2.

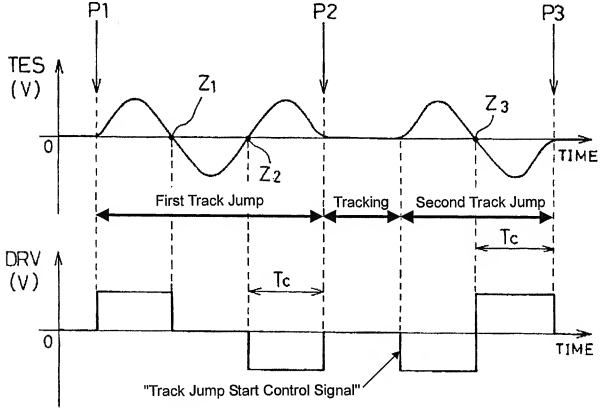
When the track jump control unit 8 receives a track jump command from the external device (not shown), the track jump control unit 8 controls the switch 9 to connect the track jump control unit 8 to the driving unit 7 to perform the first track jump to move the light spot from the position P1 to the position P2 as shown in FIGS. 1 and 3 of Akiyama (see column 6, line 48, through column 7, line 13, of Akiyama. Then, the track jump control unit 8 controls the switch 9 to connect the tracking control unit 6 to the driving unit 7 to perform the tracking operation to correct the position of the light spot on the track on which the position P2 lies (see column 7, lines 14-25, of Akiyama), apparently to the center of the track (see column 9, lines 6-13, of Akiyama). Then, the track jump control unit 8 controls the switch 9 to connect the track jump control unit 8 to the driving unit 7 to perform the second track jump to move the light spot from the position P2 to the position P3 as shown in FIG. 1. See column 7, line 38, through column 8, line 2, of Akiyama, which states as follows (emphasis added):

> The first track jump from the position P1 to the position P2 is carried out in accordance with the above control procedure. Consecutively conducted is the second track jump from the position P2 to the position P3, in the direction opposite to that of the first track jump. The second track jump is a 2-track jump, which is executed under the control in the following procedure.
>
> First of all, as soon as the switch 9 is controlled so that the driving unit 7 is connected with the track jump control unit 8 through the position b, the track jump control unit 8 outputs DRV for accelerating the objective lens 3. Note that the DRV here outputted for accelerating the objective lens 3 has the same polarity as that of the DRV outputted in the first track jump for decelerating the objective lens 3, because the direction of the acceleration this time is opposite to the direction of the first track jump from the position P1 to the position P2.
>
> The objective lens 3 is driven and accelerated to move from the position P2 to the position P3 in response to DRV for accelerating the objective lens 3, and in accordance with the move of the objective lens 3, TES changes in a sinusoidal manner. The track jump control unit 8 inverts the polarity of DRV when

detecting the first zero crossing (Z_3) in TES. Then, the track jump control unit 8 stops outputting DRV and controls the switch 9 so that the driving unit 7 is connected with the tracking control unit 6 through the position a when a predetermined period of time (Tc) has passed. Thereby the light spot is positioned at the position P3 and at the same time the tracking operation is resumed on the track where the position P3 lies. Thus, the second track jump from the position P2 to the position P3 is completed.

A marked-up copy of FIG. 3 of Akiyama showing the first track jump, the second track jump, and the tracking operation that is performed between the first track jump and the second track jump appears below:

FIG. 3



The Examiner is of the opinion that Akiyama discloses "generat[ing] a track jump start control signal based on the judged [ ] position of the pickup" as recited in claim 1 because the

light spot is centered on the track on which the position P2 lies before the second track jump is performed. Akiyama's second track jump begins when the track jump control unit 8 in FIG. 2 of Akiyama outputs the driving signal DRV having the negative polarity after the tracking operation ends as shown in the above marked-up copy of FIG. 3 of Akiyama. Thus, it is presumed that the Examiner considers the driving signal DRV having the negative polarity that is output from the track jump control unit 8 after the tracking operation ends to start the second track jump to be "a track jump start control signal" as recited in claim 1 as shown in the above marked-up copy of FIG. 3 of Akiyama. However, it is submitted that nothing whatsoever in Akiyama indicates that this "track jump start control signal" is generated based on the judged position of the optical pickup 4 in FIG. 2 of Akiyama as would be necessary for Akiyama to arguably disclose or suggest "generat[ing] a track jump start control signal based on the judged [ ] position of the pickup" as recited in claim 1.

The tracking error signal TES in FIG. 3 represents the position of the light spot emitted from the optical pickup 4 relative to the center of a track. When the light spot is centered on the track, the tracking error signal TES is zero (see column 6, lines 57-60, of Akiyama).

During the tracking operation that is performed by the tracking control unit 6 in FIG. 2 of Akiyama before the track jump control unit 8 performs the second track jump, it appears that the tracking control unit 6 is judging the position of the optical pickup 4 based on the tracking error signal TES. However, the tracking control unit 6 does not control the switch 9 in FIG. 2 of Akiyama, and does not output a signal to track jump control unit 8. Accordingly, it is submitted that the track jump control unit 8 does not generate the "track jump start control signal" shown in the above marked-up copy of FIG. 3 of Akiyama based on the judged position of optical pickup 4 apparently judged by the tracking control unit 6.

Furthermore, although the track jump control unit 8 receives the tracking error signal TES, it appears that the track jump control unit uses the tracking error signal TES only to detect the zero crossings Z_1, Z_2, and Z_3 in the tracking error signal TES shown in the above-marked up copy of FIG. 3 of Akiyama (see column 6, line 57, through column 7, line 4, and column 7, lines 55-60, of Akiyama). It is submitted that nothing whatsoever in Akiyama indicates that the track jump control unit 8 generates the "track jump start control signal" shown in the above marked-up copy of FIG. 3 of Akiyama based on a judged position of optical pickup 4 judged by the track jump control unit 8. Column 7, lines 38-48, of Akiyama states as follows:

> The first track jump from the position P1 to the position P2 is carried out in accordance with the above control procedure. Consecutively conducted is the second track jump from the position P2 to the position P3, in the direction opposite to that of the first track jump. The second track jump is a 2-track jump, which is executed under the control in the following procedure.
>
> First of all, as soon as the switch 9 is controlled so that the driving unit 7 is connected with the track jump control unit 8 through the position b, the track jump control unit 8 outputs DRV for accelerating the objective lens 3.

The driving signal DRV in the above passage is the "track jump start control signal" shown in the above-marked up copy of FIG. 3 of Akiyama. However, it is submitted that nothing whatsoever in the above passage of Akiyama or any other portion of Akiyama discloses or suggests that this "track jump start control signal" is generated based on a judged position of the optical pickup 4. The above passage merely states that this "track jump start control signal" is generated "as soon as the switch 9 is controlled so that the driving unit 7 is connected with the track jump control unit 8 through the position b." Although the track jump control unit 8 controls the switch 9, the above passage does not explain what causes the track jump control unit 8 to control the switch 9 to switch to the position b to connect the track control unit 8 to the driving unit 7 and generate the "track jump start control signal." Nor is it seen where any other portion of Akiyama explains this. In particular, it is submitted that nothing whatsoever in Akiyama discloses or suggests that the track jump control unit 8 controls the switch 9 to switch to the position b to connect the track control unit 8 to the driving unit 7 and generate the "track jump start control signal" based on a judged position of the optical pickup 4 as would be necessary for Akiyama to arguably disclose or suggest "generat[ing] a track jump start control signal based on the judged [ ] position of the pickup" as recited in claim 1.

As can be seen from the above marked-up copy of FIG. 3 of Akiyama, the tracking signal TES is zero during the tracking operation, and then, all of a sudden, the "track jump start control signal" is generated. Since the "track jump start control signal" is not generated as soon as the tracking error signal TES reaches zero during the tracking operation, it is submitted that "track jump start control signal" is not generated based on a judged position of the optical pickup 4 as would be necessary for Akiyama to arguably disclose or suggest "generat[ing] a track jump start control signal based on the judged [ ] position of the pickup" as recited in claim 1.

Accordingly, for at least the foregoing reasons, it is submitted that Aoe, Nakatsu, and Akiyama do not disclose or suggest the following feature of claim 1:

> a servo to judge a position of the pickup based on the error signal, generate a track jump start control signal based on the judged current position of the pickup, and generate a track jump end control signal.

Claim 4

It is submitted that Aoe, Nakatsu, and Akiyama do not disclose or suggest the following feature of independent claim 4 for at least the same reasons discussed above that Aoe, Nakatsu, and Akiyama do not disclose or suggest the similar feature of claim 1:

> generating a track jump start control signal based on the judged position of the pickup.

Claim 6

It is submitted that Aoe, Nakatsu, and Akiyama do not disclose or suggest the following features of independent claim 6:

> an RF processing unit to generate a positional error signal based on an output signal of the optical pickup;
>
> a servo to judge a current position of the optical pickup relative to a track of the optical disc based on the positional error signal, and output a tracking control signal for controlling a position of the optical pickup based on the judged current position;
>
> a driver to control the position of the optical pickup using the tracking control signal output from the servo.

The Examiner considers the RF amplifier in FIG. 7 of Aoe to be "an RF processing unit" as recited in claim 6, and considers the pickup servo 18 in FIG. 7 of Aoe to be "a servo" as recited in claim 6. However, it is submitted that Aoe, Nakatsu, and Akiyama do not disclose or suggest "a servo to judge a current position of the optical pickup relative to a track of the optical disc based on the positional error signal" as recited in claim 6 for at least the same reasons discussed above that Aoe, Nakatsu, and Akiyama do not disclose or suggest the similar feature of claim 1.

Furthermore, as recognized by the Examiner, Aoe does not disclose or suggest "a driver to control the position of the optical pickup using the tracking control signal output from the servo" as recited in claim 6. However, the Examiner considers the linear actuator 5 in FIG. 2 of Nakatsu to be "a driver to control the position of the optical pickup using the tracking control signal output from the servo" as recited in claim 6. The Examiner is apparently of the opinion that it would have been obvious to obvious to incorporate the linear actuator 5 in FIG. 2 of Nakatsu into the circuit in FIG. 7 of Aoe, but the Examiner has not actually stated this, has not explained how this would be done, and has not identified the reasons why one of ordinary skill in the art would have done this, such that the Examiner has not established a *prima facie* case of obviousness under 35 USC 103(a) with respect to the "driver" recited in claim 6. Furthermore, since the pickup servo 18 in FIG. 7 of Aoe controls the position of the optical pickup 14 in FIG. 7 of Aoe based on the tracking error signal TE ("positional error signal") generated by the RF amplifier 16 in FIG. 7 of Aoe, it is submitted that there would have been no need to incorporate the linear actuator 5 in FIG. 2 of Nakatsu. Furthermore, the linear actuator 5 in FIG. 2 of Nakatsu controls the position of the optical head 3 in FIG. 2 of Nakatsu using the velocity error signal output from the velocity error detection circuit 21 in FIG. 2 of Nakatsu, rather than using the tracking control signal output from the tracking servo circuit 26 in FIG. 2 of Nakatsu. Accordingly, it is submitted that the linear actuator 5 in FIG. 2 of Nakatsu is not "a driver to control the position of the optical pickup using the tracking control signal output from the servo" as recited in claim 6 as alleged by the Examiner.

Furthermore, it is submitted that Aoe, Nakatsu, and Akiyama do not disclose or suggest the following feature of claim 6:

> a controller to monitor the tracking control signal, and
> control the track jumping based on the tracking control signal.

As recognized by the Examiner, Aoe and Nakatsu do not disclose or suggest this feature of claim 6. However, the Examiner considers the track jump control unit 8 in FIG. 2 of Akiyama to be "a controller to monitor the tracking control signal, and control the track jumping based on the tracking control signal" as recited in claim 6, and is of the opinion that it would have been obvious to incorporate the track jump control unit 8 into the combination of Aoe and Nakatsu proposed by the Examiner "for the purpose of approving the accuracy of the access operation."

However, the track jump control unit 8 in FIG. 2 of Akiyama monitors the tracking error signal TES or "positional error signal" that is output from the differential amplifier 5, rather than the tracking control signal that is output from the tracking control unit 6. Accordingly, it is submitted that the track jump control unit 8 is not a controller to monitor the tracking control signal, and control the track jumping based on the tracking control signal" as recited in claim 6 as alleged by the Examiner.

Furthermore, it is submitted that Aoe, Nakatsu, and Akiyama do not disclose or suggest the following features of claim 6:

> if the controller determines that the tracking control signal indicates that the current position of the optical pickup is within a predetermined range of a center of the track, the controller immediately outputs a track jump start control signal to the driver to start the track jumping; and
>
> if the controller determines that the tracking control signal indicates that the current position of the optical pickup is not within the predetermined range, the controller delays outputting the track jump start control signal to the driver until the tracking control signal indicates that the current position of the optical pickup is within the predetermined range.

The Examiner considers the track jump control unit 8 in FIG. 2 of Akiyama to perform these functions, except for the "predetermined range" feature, which the Examiner considers would have been obvious. However, as discussed above, the track jump control unit 8 does not monitor the tracking control signal that is output from the tracking control unit 6 in FIG. 2, such that the track jump control unit 8 necessarily does not immediately output or delay outputting the "track jump start control signal" shown in the marked-up copy of FIG. 3 of Akiyama discussed above in connection with claim 1 based on a determination of what the tracking control signal output from the tracking control unit 6 indicates. Accordingly, it is submitted that Akiyama's track jump control unit 8 does not perform the above functions as alleged by the Examiner.

Conclusion—Rejection 1

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-8 (i.e., claims 1, 4, and 6 discussed above and claims 2, 3, 5, 7, and 8 depending directly or

indirectly therefrom) under 35 USC 103(a) as being unpatentable over Aoe in view of Nakatsu and Akiyama be withdrawn.

Rejection 2

Claims 9, 13, and 15 have been rejected under 35 USC 103(a) as being unpatentable over Aoe in view of Nakatsu, Akiyama, and Hirai (U.S. Patent Application Publication No. 2002/0122367). This rejection is respectfully traversed.

Claim 9

It is submitted that Aoe, Nakatsu, Akiyama, and Hirai do not disclose or suggest the following features of independent claim 9:

> judging whether a position of the optical pickup is within a predetermined range relative to a center of the track at a time of a track jump command;
>
> immediately outputting the track jump command to the optical pickup to move the optical pickup directly to a target track of the optical disc if the optical pickup is within the predetermined range; and
>
> delaying the outputting of the track jump command to the optical pickup if the optical pickup is not within the predetermined range.

The Examiner states as follows:

> As recited in the detailed rejections of independent claims 1, 4 and 6, above, the combined disclosures of **Aoe, Nakatsu and Akiyama**, teach a method of controlling track jumping of an optical, [*sic*] the method comprising:
>
> judging whether a position of the optical pickup is in a predetermined location at a time of a track jump command **(column 9:5-11 of Akiyama);**
>
> immediately outputting the track jump command to the optical pickup if the optical pickup is within the predetermined range, as broadly claimed;
>
> and delaying the outputting of the track jump command if the optical pickup is not within the predetermined range, as

broadly claimed **(column 9:5-11 of Akiyama discloses that the light spot must be correctly positioned before the track jump commences; see also column 4:59-66)**.

However, although the Examiner refers to "the combined disclosures of **Aoe, Nakatsu and Akiyama**," the Examiner has actually relied only on Akiyama in explaining the rejection. In particular, the Examiner has not identified which features of claim 9 he considers to be disclosed by Aoe and Nakatsu, such that the relevance of Aoe and Nakatsu to the rejection is not understood. Accordingly, it is submitted that the Examiner has not established a *prima facie* case of obviousness with respect to claim 9.

Furthermore, it is submitted that column 9, lines 5-11, of Akiyama does not disclose or suggest "judging whether a position of the optical pickup is in a predetermined location at a time of a track jump command" as recited in claim 9 as alleged by the Examiner. Column 9, lines 5-11, of Akiyama states as follows (emphasis added):

> On the other hand, a stable tracking operation after the second track jump is enabled under the arrangement of the present embodiment, since the tracking operation is resumed after the first track jump, thereby appropriately positioning the light spot to the correct position in the center of the track before the start of the second track jump, although the access time is a little longer than that in the above arrangement.

Since the light spot is positioned to the correct position in the center of the track before the start of the second track jump in the tracking operation shown in the marked-up copy of FIG. 3 of Akiyama discussed above in connection with claim 1, it is submitted that there is no need for Akiyama's apparatus to "judg[e] whether a position of the optical pickup is in a predetermined location at a time of a track jump command" as recited in claim 9 as alleged by the Examiner. This is consistent with column 7, lines 45-48, of Akiyama, which states as follows:

> First of all, as soon as the switch 9 is controlled so that the driving unit 7 is connected with the track jump control unit 8 through the position b, the track jump control unit 8 outputs DRV for accelerating the objective lens 3.

The driving signal DRV referred to in this passage is the "track jump start control signal" in the marked-up copy of FIG. 3 of Akiyama discussed above in connection with claim 1. The Examiner apparently considers this driving signal DRV to be "a track jump command" as recited in claim 9. However, it is submitted that nothing whatsoever in Akiyama discloses or suggests

judging whether a position of the optical pickup 4 in FIG. 2 of Akiyama is in a predetermined location at a time this driving signal DRV is output from the track jump control unit 8 in FIG. 2 of Akiyama as would be necessary for Akiyama to arguably disclose or suggest "judging whether a position of the optical pickup is in a predetermined location at a time of a track jump command" as recited in claim 9.

Furthermore, it is submitted that Akiyama does not disclose or suggest "delaying the outputting of the track jump command if the optical pickup is not within the predetermined range, as broadly claimed" as alleged by the Examiner because column 7, lines 45-48, of Akiyama reproduced above states that the driving signal DRV, which the Examiner apparently considers to be "a track jump command" as recited in claim 9, is output from the track jump control unit 8 as soon as the switch 9 is controlled so that the driving unit 7 is connected with the track jump control unit 8 through the position b. It is submitted that nothing whatsoever in Akiyama discloses or suggests delaying the switching of the switch 9 or delaying the outputting of the driving signal DRV from the track jump control unit 8 based on a position of the optical pickup 4 in FIG. 2 of Akiyama as would be necessary for Akiyama to arguably disclose or suggest "delaying the outputting of the track jump command if the optical pickup is not within the predetermined range, as broadly claimed" as alleged by the Examiner.

Conclusion—Rejection 2

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 9, 13, and 15 (i.e., claim 9 discussed above and claims 13 and 15 depending therefrom) under 35 USC 103(a) as being unpatentable over Aoe in view of Nakatsu, Akiyama, and Hirai be withdrawn.

Rejection 3

Claims 10-12 have been rejected under 35 USC 103(a) as being unpatentable over Aoe in view of Nakatsu, Akiyama, and Nagano (U.S. Patent No. 4,819,219). This rejection is respectfully traversed.

Although the propriety of this rejection is not conceded, it is submitted that claims 10-12 depending from claims 1, 4, and 6 are patentable over Aoe, Nakatsu, Akiyama, and Nagano for at least the same reasons discussed above that claims 1, 4, and 6 are patentable over Aoe, Nakatsu, and Akiyama, and it is respectfully requested that the rejection of claims 10-12 under 35 USC 103(a) as being unpatentable over Aoe in view of Nakatsu, Akiyama, and Nagano be withdrawn.

Rejection 4

Claims 14 and 16 have been rejected under 35 USC 103(a) as being unpatentable over Aoe in view of Nakatsu, Akiyama, Hirai, and Nagano. This rejection is respectfully traversed.

Although the propriety of this rejection is not conceded, it is submitted that claims 14 and 16 depending directly or indirectly from claim 9 are patentable over Aoe, Nakatsu, Akiyama, Hirai, and Nagano for at least the same reasons discussed above that claim 9 is patentable over Aoe, Nakatsu, Akiyama, and Hirai, and it is respectfully requested that the rejection of claims 14 and 16 under 35 USC 103(a) as being unpatentable over Aoe in view of Nakatsu, Akiyama, Hirai, and Nagano be withdrawn.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with the filing of this paper, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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